

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JUSTIN LYNN VICTORY,

Plaintiff(s),

v.

HENDERSON NA P.D., et al.,

Defendant(s).

Case No. 2:23-cv-02086-CDS-NJK

ORDER

[Docket No. 6, 7]

Plaintiff initiated this case without paying the required fee or filing an application to proceed *in forma pauperis*. Docket No. 1. On December 20, 2023, the Court ordered Plaintiff to pay the filing fee or file an application to proceed *in forma pauperis* by February 7, 2024. Docket No. 3. Plaintiff did not comply. On February 15, 2024, the undersigned recommended that the case be dismissed. Docket No. 6.

On February 22, 2024, the Court received a motion from Plaintiff seeking information on his case. Docket No. 7. That motion includes a new address for Plaintiff.¹ Given the circumstances, the undersigned will withdraw the report and recommendation, and will provide Plaintiff with an opportunity to either pay the filing fee or complete an application to proceed *in forma pauperis*.

Accordingly, the report and recommendation (Docket No. 6) is hereby **WITHDRAWN**. Plaintiff is **ORDERED** to either pay the filing fee or file an application to proceed *in forma pauperis*, including an inmate account statement for the past six months and a properly executed financial certificate, by **April 15, 2024**. The Clerk's Office is **INSTRUCTED** to send Plaintiff

¹ At the time this case was filed, Plaintiff was housed in Clark County Detention Center, but it appears he has now been transferred to state prison. See Docket No. 7 at 1 (return address).

1 the approved form application to proceed in forma pauperis by a prisoner, as well as the document
2 entitled information and instructions for filing an in forma pauperis application. The Clerk's
3 Office is **INSTRUCTED** to update Plaintiff's address to reflect the return address on his latest
4 filing (Docket No. 7 at 1). Lastly, Plaintiff's motion seeking information on his case (Docket No.
5 7) is **DENIED** as moot in light of the information provided above.

6 Plaintiff is cautioned that failure to comply with this order may result in a recommendation
7 to the District Judge that this case be dismissed. Plaintiff is also cautioned that he must promptly
8 update his address moving forward by filing a notice of changed address.

9 IT IS SO ORDERED.

10 Dated: March 1, 2024

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13 Nancy J. Koppe
14 United States Magistrate Judge
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